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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/821,064	03/29/2001	Messaoud Benantar	AUS920010140US1	5311

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EXAMINER

BROWN, CHRISTOPHER J

ART UNIT PAPER NUMBER

2134

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/821,064

Applicant(s)

BENANTAR, MESSAOUD

Examiner

Christopher J Brown

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Double Patenting

1. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claim 1 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Application No. 09821079.

Although the conflicting claims are not identical, they are not patentably distinct from each other because Both claims use and attribute certificate to authenticate a user by using the authentication information contained within the attribute certificate.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3, 11, 13, 19, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wood US 6,691,232, in view of Parker US 5,339,403

As per claims 1, 3, 11, 13, 19, and 21, Wood teaches use of a certificate for authentication in a single sign on system, (Col 5 lines 50-65). Wood teaches authenticating the user for subsequent authentication via the certificate, (Col 6 lines 4-10).

Wood does not teach an attribute certificate.

Parker teaches an attribute certificate including authentication information, (Col 1 lines 40-45). Parker teaches a system to approve access by and authenticate by forwarding the attribute certificate to a controlled resource (applications) (Col 1 lines 45-50).

It would be obvious to one of ordinary skill in the art to modify the system of Wood with the certificate of Parker because the certificate is from a trusted secure source.

Claims 2, 5, 12, 15, 20, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wood US 6,691,232 in view of Parker US 5,339,403 in view of Riggins US 6,766,454.

As per claims 2, 5, 12, 15, 20, and 23, the prior Wood-Parker combination teaches an SSO attribute certificate including authentication information.

Wood-Parker does not teach asymmetrical encryption.

Riggins teaches encryption of messages with the public key of the recipient, and decryption with a private key (Col 2 lines 15-25).

It would have been obvious to one of ordinary skill in the art to include the encryption of Riggins with the certificate of Parker, because the encryption makes the communication secure.

Claims 4, 6, 7, 10, 14, 16, 17, 22, 24, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wood US 6,691,232 in view of Parker US 5,339,403 Olden US 6,460,141

As per claims 4, 6, 7, 10, 14, 16, 17, 22, 24, and 25, the Wood-Parker combination teaches a certificate containing, an issuer name (AID), signature (KUA), and holder, (Attr), (Parker Col 3 lines 5-30). Wood-Parker does not teach legacy applications and multiple sets of data.

As per claims Olden teaches using a user Id and password in conjunction with legacy applications, wherein multiple sets of authentication data and parameters are stored in conjunction with single sign on (Col 25 lines 20-27)

It would have been obvious to one of ordinary skill in the art to include the legacy application of Olden in the system of Wood-Parker, because it is important to maintain backwards compatibility.

Claims 8, 18, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wood US 6,691,232 in view of Parker US 5,339,403 in view of Butt US 6,754,829

As per claims 7, 20, and 31, the previous Wood-Parker combination does not disclose a X.509 certificate format.

Butt teaches the X.509 certificate format, (Col 4 lines 54-64).

It would have been obvious to one of ordinary skill in the art to use the x.509 format with the certificate of the Parker-Riggins combination because the x.509 format is operating system independent and thus very compatible.

Conclusion


3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher J Brown whose telephone number is (571)272-3833. The examiner can normally be reached on 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse can be reached on (571)272-3838. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Christopher J. Brown

12/07/04



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